

Guidance on When a Source is Subject to Section 112 (g) Requirement

***Federal Register*, Vol. 61, Page 68392** December 27, 1996

40 CFR Part 63 Subpart B: Hazardous Air Pollutants: Regulations Governing Constructed or Reconstructed Major Sources.

D. Section 63.43 MACT Determinations for Constructed and Reconstructed Major Sources.

Applicability.

2. Addition of Equipment at an Existing Plant Site.

". . . The following sample applicability determinations provide further guidance in judging when a source is subject to section 112(g) requirements:

Example 1

At a plant which manufactures fiberglass reinforced plastic boats, the owners wish to add more spray guns to an existing fabrication line to supplement the existing spray guns in laminating a particular model of boat hulls. The new spray guns will have a PTE greater than 10 tons/year of a HAP.

In this example, EPA views the fiberglass hull of a boat as an intermediate product in the manufacture of the final product (i.e., the boat with deck, trim, paint, engine, etc.). The collection of structures and/or equipment needed to manufacture the intermediate product, in this case, includes the existing spray guns and other operations in the building (e.g., the lamination operation and other supporting equipment) that typically are found in the production of boats. Because the newly added spray guns in and of themselves do not produce the intermediate product, the EPA does not view the additional spray guns for lamination as a process or production unit that is subject to review under section 112(g).

Example 2

Using Example 1, assume that the owner adds more spray guns to laminate a second model of boat hulls. The room is large enough to accommodate two lamination processes at the same time. The new spray guns have a PTE greater than 10 TPY.

The same rationale used in Example 1 applies here. The collection of equipment needed to produce the boat hull includes the lamination process as well as the gel coat process. Because the addition of the second lamination process does not produce an intermediate product, if no additional laminating or other essential equipment were added, it would not be subject to review under section 112(g).

Example 3

Using Example 2, a gel coat spray booth and supporting equipment needed to manufacture the boat hulls are added in addition to the spray guns.

The process or production unit in this example is the set of equipment that consists of the gel coat spray booths, the spray gun, and the supporting equipment. This new set of equipment can reasonably operate alone and produce an intermediate product. Consequently, all sources of HAP in this set of equipment, which includes the gel coat spray booth and the spray guns in the laminating room, are subject to review under section 112(g).

Example 4

An aluminum reduction plant has several potlines which manufacture aluminum. Each potline consists of between 100 and 200 electrolytic reduction cells or "pots" that are connected together in series electrically to complete a circuit. Each pot produces molten aluminum. The company wishes to add more pots on each line. The additional pots will result in a major increase in emissions.

Although each individual pot contributes to the production of the aluminum, the separate pots are not considered to be discrete process or production units in that they cannot operate independently. In addition, it does not make sense from an engineering standpoint to apply new source MACT only to the additional pots. The best time to apply new source MACT is when constructing an entirely new potline. The EPA does not view each separate pot as a process or production unit and thus the individual pots are not subject to review under section 112(g). The EPA sees the pots within the potline as being both functionally and physically interconnected and unable to function alone. Thus, EPA does not consider the pots as discrete process or production units.

Example 5

Using Example 4, assume the aluminum production facility adds a new potline which is a major source of HAP.

The EPA considers the entire potline as the collection of structures and equipment that produces an intermediate product (i.e., molten aluminum). Since it fits within the definition of a process or production unit, the potline is subject to review under 112(g). Also, note that the potline is an example of a process or production unit that is part of a larger production unit, the aluminum production plant.

Example 6

At an automobile assembly paint shop, three coating steps, primer, surfacer, and top coat, are used to paint the automobile body. Another parallel topcoat step is added to the existing topcoat step. Both top coat steps then feed back into a bake oven. The new top coat step will be a major source of HAP.

The new parallel topcoat step is not subject to review under section 112(g). The intermediate product in this case is the painted automobile body. The top coating step cannot take place without the preceding primer and surfacer steps and the supporting infrastructure. Additionally, the intermediate product cannot be completed without the bake oven step. Consequently, the topcoat by itself is not a discrete process as it is only one step in a series of steps necessary to produce an intermediate or final product. (Although unlikely, if an existing automobile assembly plant were to build a second paint shop, this should be reviewed under section 112(g).)